

**REMARKS**

By this Amendment, claims 1, 3 and 5 are amended and claims 23-28 are added. Therefore, claims 1-25 are pending in this application. No new matter is added. Reconsideration of the application is respectfully requested.

The Office Action rejects claims 1-22 under 35 U.S.C. §102(e) over U.S. Patent No. 6,353,318 to Sin et al. (Sin). This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, that a single-layer film is in contact with an effective region on at least one side of the effective region and that a layer for applying a biasing magnetic field to a free layer is not located on the at least one side of the effective region. These features are shown in Figs. 4 and 5, for example.

The Office Action alleges that the layer 130 of Sin corresponds to the recited single layer film, and that the layer 140 corresponds to the layer for applying a biasing magnetic field to a free layer. The Office Action alleges that a section including a free layer 118 corresponds to the effective region. However, as shown in Fig. 2 of Sin, both the layer 130 and the layer 140 are on the same side of the effective region. Therefore, Sin does not teach or suggest that the layer for applying the biasing magnetic field to the free layer is not located on the at least one side of the effective region, as recited in claim 1. As such, claim 1 is patentable over Sin.

Independent claims 3 and 5 recite that a composite-layer film is in contact with an effective region on at least one side of the effective region, and that a layer for applying a biasing magnetic field to a free layer is not located on the at least one side of the effective region.

As discussed above with respect to claim 1, Sin does not teach or suggest these features. As such, Applicants respectfully submit that claims 3 and 5 are patentable over Sin.

Claims 2, 4 and 6-22 are patentable at least for their dependence on patentable base claims, as well as for the additional features they recite.

At least for these reasons, Applicants respectfully request withdrawal of the rejection.

New claim 23 recites that the single-layer film does not overlap with the layer for applying the biasing magnetic field to the free layer on the at least one side of the effective region, and new claims 24 and 25 each recite that the composite-layer film does not overlap with the layer for applying the biasing magnetic field to the free layer on the at least one side of the effective region. These features are shown in Figs. 4 and 5, for example.

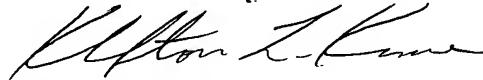
As shown in Fig. 2, Sin teaches that the layer 130 and the layer 140 overlap with each other. Thus, Sin does not teach or suggest these features. Accordingly, Applicants respectfully submit that claims 23-25 are patentable at least for their dependence on allowable base claims, as well as for the additional features they recite.

New claims 26-28 recites features similar to those of claims 23-25, respectively. As such, Applicants' respectfully submit that none of the applied art teaches or suggests these features. Accordingly, claims 26-28 are patentable.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:KXH/tbh

Attachments:

Petition for Extension of Time  
Request for Continued Examination  
Amendment Transmittal

Date: December 12, 2005

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